

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

IN RE GOOGLE PLUS PROFILE  
LITIGATION

Case No. 5:18-cv-06164-EJD (VKD)

**DECLARATION OF STEVEN  
WEISBROT OF ANGEION GROUP, LLC  
IN SUPPORT OF CY PRES  
DISTRIBUTION**

I, Steven Weisbrot, hereby declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the following is true and correct to the best of my knowledge:

1. I am the President and Chief Executive Officer of Angeion Group, LLC (“Angeion”), the Settlement Administrator retained and finally approved by the Court in this matter, located at 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. Angeion was retained by the Parties and finally appointed by this Court to serve as Settlement Administrator and to, among other tasks, respond to Class Member inquiries, receive and process claim forms, exclusions, and objections, and perform other duties as specified in the Class Action Settlement Agreement (“Settlement Agreement”) and Order Granting Final Approval of Settlement. Chief to this matter, Angeion had responsibility for distributing the Settlement Fund in accordance with the Settlement Agreement.

3. Angeion has administered class action settlements involving millions of class members. A representative list of the settlements administered by Angeion is available at <http://www.angeiongroup.com/cases.php>. Through the administration of the settlements referenced above, Angeion has received, processed, and secured data from defendants and other sources. Angeion has analyzed settlement class member data including performing deduplication, National Change of Address Searches (NCOA) and address verification searches (“skip traces”). Angeion has successfully implemented noticing campaigns involving direct mail notice, email notice, text noticing, print publication, and digital and social media publication for millions of potential class members. Further, Angeion has analyzed and reported on class member data obtained through claim

1 forms submitted via mail and through online claims filing, class member correspondence, objections  
2 to the settlement, exclusion requests, and other means. Angeion is experienced in the application of  
3 complex claim calculations and, where applicable, tax withholding and reporting, as required by  
4 federal, state, and local taxing authorities, as well as in reviewing settlement agreements and court  
5 orders.

#### 6 **DIRECT NOTICE & PRESS RELEASE**

7 4. Direct email notice was provided through collaboration between Angeion and  
8 Google. Angeion consulted with Google and counsel for all parties on best practices for class action  
9 email distribution and suggested, inter alia, email formatting conventions, an email distribution  
10 timeline, and other best practices to avoid common red flags typical in legal noticing that might cause  
11 the email distribution to be treated as spam or remain unopened. Between August 3 and August 7,  
12 2020, Notice of Class Action Settlement (the “Notice”) was emailed to approximately 161 million  
13 email addresses. Of the emails sent, 1.10% resulted in “hard bounces” and were undeliverable, and  
14 0.35% resulted in “soft bounces” that were automatically re-tried by the system. Accordingly, over  
15 98% of the emails were delivered. The multi-media notice plan developed and deployed for this  
16 Settlement was robust and far-reaching, accomplishing the requirements of Due Process.

#### 17 **SETTLEMENT WEBSITE**

18 5. On June 24, 2020, Angeion established the following website devoted to this  
19 Settlement: [www.GooglePlusDataLitigation.com](http://www.GooglePlusDataLitigation.com) (“Settlement Website”). The Settlement Website  
20 contained an online portal whereby claimants were able to submit a Claim Form online or download  
21 a copy of the Claim Form to complete and submit via USPS. Requests for Exclusion and Objections  
22 were also able to be filed online. Additionally, the Notice of Class Action Settlement, the Settlement  
23 Agreement, the Preliminary Approval Order, Plaintiffs motion for fees, costs, expenses, and service  
24 awards, and other relevant case documents are available for download through the Settlement  
25 Website. The Settlement Website also had a “Contact Us” page which provides Class Members  
26 additional ways to contact Angeion, such as by mail or email or phone, by which they may update  
27 their addresses or submit additional questions regarding the Settlement. During the administration of  
28 this Settlement, the Settlement Website received more than 5,472,651 website visits by 4,482,813  
unique users totaling 13,154,947 pageviews.

1 **CASE SPECIFIC HOTLINE**

2 6. On June 24, 2020, Angeion also established a toll-free hotline devoted to this case to  
3 further apprise Class Members of their rights and options in the Settlement: 1-833-509-1101. The  
4 toll-free hotline utilizes an interactive voice response (“IVR”) system to provide Class Members with  
5 responses to frequently asked questions and provide essential information regarding the Settlement.  
6 During the administration of this Settlement, more than 17,221 class members called the hotline.

7 **CLAIM FORM SUBMISSIONS**

8 7. The deadline for Class Members to submit a Claim Form was October 8, 2020. As of  
9 the date of this declaration, Angeion has received 1,820,549 timely Claim Forms (1,371 via mail and  
10 1,819,178 via the online portal).

11 **REMAINING DISTRIBUTION**

12 8. During the administration of this Settlement, Angeion diligently processed and audited  
13 Claim Form submissions and replied to Class Member inquiries. During the administration of this  
14 Settlement, Angeion also continued to keep the Parties apprised of the number of Claim Forms  
15 received, as well as any exclusion requests or objections received.

16 9. The chart attached hereto as **Exhibit 1** reflects an accounting of the Settlement Fund.

17 10. Although Angeion was able to successfully process approximately 1,413,960  
18 payments, approximately 229,438 additional payments failed. Reasons for this include: (1) the  
19 account was closed; (2) no account existed/could not be located; (3) invalid account number; (4)  
20 account was frozen; (5) stop payment on the item; (6) branch sold to another DFI; (7) RDFI not  
21 qualified to participate; (8) credit entry was refused by the receiver.

22 11. As of June 30, 2022, Angeion has incurred Notice and Administration costs totaling  
23 \$2,202,172.76, with approximately \$370,775.12 remaining unpaid.

24 12. The Settlement Fund has paid all taxes; the Fee, Cost and Expense Award, and Service  
25 Awards to three of the 4 Named Plaintiffs. Angeion and Class Counsel were not able to locate Eileen  
26 M. Pinkowski in order to facilitate the Service Award payment.

27 13. After the payment of all Settlement Fund fees, expenses and successful Class Member  
28 payments, \$776,520.32, remains in the Net Settlement Fund. After accounting for the remaining

1 unpaid Notice and Administration Costs, there remains a residual settlement fund balance of  
2 \$405,745.20.

3 14. The cost to attempt to re-process distribute these payments exceeds the amount of any  
4 benefit that Settlement Class Members would receive.

5 I hereby declare under penalty of perjury that the foregoing is true and correct.

6 Executed at Parkland, Florida, this 8th day of July 2022.

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/s/ Steven Weisbrot

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STEVEN WEISBROT, Declarant

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**EXHIBIT 1**

Settlement Fund Summary (as of 6/30/2022)	
Gross Settlement Fund	7,500,000.00
<i>Additions:</i>	
Earned Interest	726.19
Settlement with Objectors	100,000.00
<i>Subtractions:</i>	
Class Counsel Fees and Expenses	1,944,558.23
Jams Invoice Paid	3,736.00
Service Payments ( <i>only 3 of 4 paid, missing W9 for Pinkowski</i> )	4,500.00
Class Members Paid	3,040,014.00
Administration Expense Paid	1,831,397.64
Class Members Paid	3,040,014.00
<b>Current Settlement Fund Account Balance</b>	<b>776,520.32</b>
<b>Admin Expense Incurred Not Paid</b>	
Invoice # NY006323 Aug 2021	3,044.56
Invoice # NY006522 Sep 2021	3,581.92
Invoice # NY006634 Oct 2021	6,353.06
Invoice # NY006719 Nov 2021	2,069.79
Invoice # NY006934 Dec 2021	1,707.46
Invoice # NY006973 Jan 2022 (includes 229,438 failed electronic pmts)	347,617.56
Invoice # NY007184 Feb 2022	3,698.48
Invoice # NY007298 Mar 2022	931.84
Invoice # NY007547 Apr 2022	669.89
Invoice # NY007596 May 2022	515.76
Invoice # NY007736 June 2022	584.80
<b>Total Due Angeion</b>	<b>370,775.12</b>
<b>Funds Available For Second Distribution</b>	
<b>405,745.20</b>	
Total Successful Electronic Payments	1,413,960
Estimated Payment Per Class Member Prior To Expense	0.29
Cost per Electronic Payment	(0.50)